

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA and)	
STATE OF TENNESSEE,)	
)	Civil Action No.: 3:16-cv-02380
Plaintiffs,)	District Judge Sharp
)	Magistrate Judge Newbern
v.)	
)	
VANGUARD HEALTHCARE, LLC,)	
VANGUARD HEALTHCARE SERVICES,)	
LLC,)	
BOULEVARD TERRACE, LLC,)	
VANGUARD OF CRESTVIEW, LLC,)	
GLEN OAKS, LLC, IMPERIAL GARDENS)	
HEALTH AND REHABILITATION, LLC,)	
VANGUARD OF MEMPHIS, LLC,)	
VANGUARD OF MANCHESTER, LLC and)	
MARK MILLER,)	
)	
Defendants)	

MOTION TO STAY RESPONSE TO PLAINTIFFS' COMPLAINT

Vanguard Healthcare, LLC, and its affiliated entities, Vanguard Healthcare Services, LLC, Boulevard Terrace, LLC, Vanguard of Crestview, LLC, Glen Oaks, LLC, Imperial Gardens and Rehabilitation, LLC, Vanguard of Memphis, LLC, and Vanguard of Manchester, LLC, (collectively referred herein as "Vanguard")¹ do hereby move pursuant to Rule 6(b) of the Federal Rules of Civil Procedure to stay Defendants' response to Plaintiffs' Complaint by extending the deadline to file an answer to Plaintiffs' Complaint pending a resolution on the issue of whether this action is stayed by 11 U.S.C. § 362(a)(1).

¹ Defendant Mark Miller has just been served and will likely have separate counsel. Nevertheless, the relief granted by the Vanguard Defendants should be applicable to Defendant Mark Miller also.

Plaintiffs have filed a motion before this Court for an order that their pursuit of an action under the False Claims Act and related theories, is excepted from the automatic stay under the Bankruptcy Code (Docket No. 2) (“Stay Relief Motion”), and Vanguard has filed a response to Plaintiffs’ Stay Relief Motion (Docket No. 9) (“Defendants’ Response”). As set forth in Defendants’ Response, Defendants assert that the issues raised in Plaintiffs’ Stay Relief Motion are “core” to Vanguard’s Chapter 11 bankruptcy cases, and should have been brought before the Bankruptcy Court.

WHEREFORE, for the reasons further stated in Defendants’ Memorandum filed pursuant to Local Rule 7.01, Vanguard requests this Court stay any requirement to respond to Plaintiffs’ Complaint until further order of the Court.

This 20th day of September, 2016.

Respectfully Submitted:

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Special Litigation Counsel to the Debtor Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of September, 2016, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt.

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